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23 UNITED STATES DISTRICT COURT  
24  
25 NORTHERN DISTRICT OF CALIFORNIA  
26  
27 OAKLAND DIVISION

28 In re ACCURAY INC. SECURITIES  
LITIGATION

) Master File No. 4:09-cv-03362-CW

)  
) CLASS ACTION

)  
) This Document Relates To:

) ALL ACTIONS.

) STIPULATION AND ORDER CHANGING  
) TIME FOR FILING LEAD PLAINTIFFS'  
) CONSOLIDATED COMPLAINT AND  
) SETTING BRIEFING SCHEDULE ON  
) MOTION TO DISMISS

1 WHEREAS, on October 30, 2009, the parties filed a stipulation (Dkt. No. 51) setting forth  
2 proposed dates for the filing of plaintiffs' consolidated complaint and the briefing schedule on  
3 motion to dismiss, as follows:

- 4 • Lead plaintiff shall file a consolidated complaint no later than December 10, 2009;
- 5 • Defendants shall file their motion to dismiss no later than February 1, 2010;
- 6 • Lead plaintiff shall file its opposition to the motion to dismiss no later than March  
7 19, 2010; and
- 8 • Defendants shall file their reply no later than April 9, 2010.

9 WHEREAS, on November 2, 2009, this Court issued an order approving the above briefing  
10 schedule and modifying the stipulation with regard to the case management conference, which was  
11 continued to April 29, 2010 (Dkt. No. 52).

12 WHEREAS, due to a scheduling conflict, plaintiffs have requested and defendants have  
13 agreed, subject to the approval of the Court, to change the time for plaintiffs to file their consolidated  
14 complaint and adjust the briefing schedule on the motion to dismiss, as follows:

- 15 • Lead plaintiff shall file a consolidated complaint no later than December 17, 2009;
- 16 • Defendants shall file their motion to dismiss no later than February 8, 2010;
- 17 • Lead plaintiff shall file its opposition to the motion to dismiss no later than March  
18 25, 2010; and
- 19 • Defendants shall file their reply no later than April 15, 2010.

20 WHEREAS, the proposed schedule will not cause undue delay and will not change the April  
21 29, 2010 case management conference date already established by the Court.

22 NOW THEREFORE, it is stipulated and agreed:

- 23 1. Lead plaintiff shall file a consolidated complaint no later than December 17, 2009;
- 24 2. Defendants shall file their motion to dismiss no later than February 8, 2010;
- 25
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- 28



1 I, Shawn A. Williams, am the ECF User whose ID and password are being used to file this  
2 Stipulation and [Proposed] Order Changing Time For Filing Lead Plaintiffs' Consolidated  
3 Complaint and Setting Briefing Schedule On Motion to Dismiss. In compliance with General Order  
4 No. 45, X.B., I hereby attest that Diane M. Walters has concurred in this filing.

5 \_\_\_\_\_/s/  
SHAWN A. WILLIAMS

6  
7 \* \* \*

8 **ORDER**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10 DATED: \_12/10/09\_

11   
\_\_\_\_\_  
THE HONORABLE CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

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